

REMARKS

Counsel for the applicants wishes to thank the examiner for the courtesy extended in the telephone interview on February 17, 2009. The following constitutes the required summary of the matters discussed at the interview.

Claims 1-9, 11-14 and 16-22 are pending. Claims 10 and 15 have been canceled. Claims 5-6 have been withdrawn. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claims 1-4, 7-9, 11-14 and 16 were rejected under 35 USC 112, second paragraph due to the phrase "wherein the second surface ... is a material selected from the group" in claims 1 and 3. The office action also states that claim 3 is unclear where the back surface is in relation to the rest of the laminate. By way of the above amendment, the wording has been revised. The office action states that claims 1 and 3 "refers only the second surface". Claims 1 and 3, however, have been carefully reviewed and revised. At the interview, the examiner indicated that the rejection should be overcome by the present amendments. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 1, 2, 8 and 9 were rejected under 35 USC 102(e) as being anticipated by U.S. Patent No. 5,384,174, Ward et al. ("Ward"). Claims 3, 4, 13, 14 and 17-20 were rejected under 35 USC 103(a) as being unpatentable over Ward in view of U.S. Patent No. 5,008,110, Benecke et al. ("Benecke"). Claims 7, 11, 12 and 16 were rejected under 35 USC 103(a) as being unpatentable over Ward, Benecke, and U.S. Patent No. 5,376,418, Rogers et al. ("Rogers").

The examiner comments on page 8 of the office action that "there is nothing stated in the claim language that the two sides cannot touch." Claims 1 and 3 have been amended to recite that the first and second sides do not touch one another. Support for the amended wording is

located in the application as filed, for example FIG. 1. Insofar as the rejections may be applied to the claims as amended, the applicants respectfully request that these rejections be withdrawn for reasons including the following, which are provided by way of example.

Claim 1, for example, recites that “the protective material is provided as first and second portions thereof, *only* on first and second sides of the second surface of the base material, wherein *the first and second sides do not touch one another*, the first and second portions being *spaced apart*.” In Ward, in comparison, the second piece (14) (protective material) forms a circle, so that Ward’s first and second sides touch.

Claim 1 also recites “the first and second portions defining a void therebetween.” In Ward, to the contrary, the central area (13) surrounded by second piece (14) is removed when the adhesive sheet is used (col. 6, lines 51-53). Ward’s adhesive sheet has an entirely different purpose from the present sheet which is intended to be wound on a roll so that the void between the first and second portions acts as a spacer. Ward’s sheet would not be wound into a roll, and if it was, the central area (13) inside the second piece (14) prevents the spacer effect, and the second piece (14) which curves around especially defeats the spacer effect.

Claim 3 is also believed to be distinguished from Ward, alone or in combination with the other references, for similar reasons.

Ward, Benecke, and Rogers fail to teach or suggest, for example, these elements recited in the independent claims. It is respectfully submitted therefore that the independent claims are patentable over Ward alone or in combination with the other references of record.

With respect to the rejected dependent claims, the applicants respectfully submit that these claims are allowable not only by virtue of their dependency from independent claims 1 and 3, but also because of additional features they recite in combination.

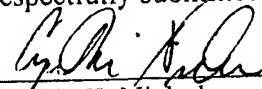
The applicants respectfully submit that, as described above, the cited art does not show or suggest the combination of features recited in the claims. The applicants do not concede that the cited art shows any of the elements recited in the claims. However, the applicants have provided specific examples of elements in the claims that are clearly not present in the cited art.

The applicants strongly emphasize that one reviewing the prosecution history should not interpret any of the examples the applicants have described herein in connection with distinguishing over the cited art as limiting to those specific features in isolation. Rather, for the sake of simplicity, the applicants have provided examples of why the claims described above are distinguishable over the cited references.

In view of the foregoing, the applicants submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,



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